

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

MISSISSIPPI VALLEY TITLE INSURANCE COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 4:06CV79LR

JONATHAN WADE LEWIS

DEFENDANT

ORDER

This cause is before the court on the motion of Mississippi Valley Title Insurance Company (Mississippi Valley Title) to compel arbitration of the claims asserted against it. Defendant Jonathan Wade Lewis had not respond in opposition to the motion, and the court, having considered defendant's memorandum and submissions, concludes the motion should be granted.

On January 10, 2006, Lewis filed a complaint in the Circuit Court of Hinds County, Mississippi, against Mississippi Valley Title asserting claims for intentional interference with advantageous financial position; the tort of bad faith insurance practices; estoppel and detrimental reliance; negligent, gross negligent and wanton failure to monitor and train agent; economic duress; overreaching and undue influence. Because these claims arose under a title insurance policy jointly issued by Mississippi Valley Title and Old Republic National Title Insurance Company which contained an arbitration provision, Mississippi Valley Title requested that Lewis proceed with arbitration of his dispute. He refused, and accordingly, Mississippi Valley Title filed the instant action seeking to compel arbitration pursuant to the

Federal Arbitration Act, 9 U.S.C. § 1, et seq. In support of its motion, Mississippi Valley Title has attached a copy of the title insurance policy issued to Lewis which provides that either the insured or the insurer "may demand arbitration" of "any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of the policy provision or other obligation." In light of Lewis's failure to respond, the court concludes that Mississippi Valley Title's motion to compel arbitration should be granted.

Accordingly, it is hereby ordered that the defendant's motion to compel arbitration of the claims asserted by Jonathan Wade Lewis is granted. It is further ordered that the claims of Lewis against Mississippi Valley Title in the underlying state court litigation be stayed pending arbitration.

SO ORDERED this 17th day of July, 2006.

/s/ Tom S. Lee
UNITED STATES DISTRICT COURT